

REMARKS

Claims 1-20 are pending in the application. Claims 21-28 are new, and claims 1, 2, 10, 11, 12, 19 and 20 have been hereby amended to clarify the claimed subject matter.

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being directed to subject matter that is unpatentable over Younis (Publication No. 20050003833) in view of Lee et al. (Publication No. 20060267841). In addition, claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, for the reasons stated on page 2 of the Office Action.

Applicants' undersigned attorney would like to thank Examiner Phuong for his courtesy in participating in a telephonic interview of July 12, 2007. During the interview, the examiner agreed to reconsider the rejections under Section 103(a) in view of the remarks below. In addition, the applicants' agreed to amend the claims in view of the rejection under Section 112, 2nd paragraph. In particular, the amendments to independent claims 1 and 11, wherein the concepts of a "first land station" and a "second land station" are introduced, are intended to conveniently label the respective land stations, for clarification purposes. However, it is noted that these could in fact be the same land station. Stated another way, the "first land station equipped with location-measurement facilities" and the "second land station equipped for location-determination calculations" could be one in the same land station or two different land stations.

The Examiner is respectfully urged to reconsider and withdraw the rejections in view of the following remarks. The Examiner is invited to call applicants' attorney directly at 206.332.1384 to discuss any issues that may occur to the Examiner after reviewing the instant response.

Rejection Under 35 USC § 112

The examiner has remarked that the terms "a mobile station" (line 4) and "a land station" (lines 6 and 10) are lacking in terms of antecedent basis. We respectfully disagree, however, we have agreed to amend the claims as explained above in order to overcome the rejection. Accordingly, the examiner is urged to renounce the rejection under Section 112.

Rejection Under 35 USC § 103(a)

Applicants' independent claim 1 is directed to a method for the determination of the location of a mobile station (MS) equipped with embedded GPS signal reception capability. The claimed method includes receiving GPS data at a land station, receiving a communications-band signal from the MS to be located at a land station equipped with location-measurement facilities, and performing location-determination calculations using the GPS data and the extracted location-related characteristic data to derive an estimated location for the MS. Moreover, claim 1 recites that the GPS data received at the land station is received from the MS to be located. Independent claim 11 is directed to a system, and this claim similarly recites that the GPS data is received from a MS to be located.

The new claims are more specifically directed to the process described in the specification, for example, in paragraphs 0022 and 0026-0029. These claims are believed to be patentable over the prior art of record.

Applicants' undersigned attorney respectfully submits that the combined disclosures of Younis and Lee fail to teach or suggest, or otherwise render obvious, the invention recited in claims 1-20. First, the secondary reference, Lee et al., has a filing date of March 2, 2006, which is well after applicants' filing date of December 30, 2003. The Examiner has not attempted to show that Lee is entitled to the earlier effective filing date, and therefore it is not clear that Lee qualifies as prior art with respect to the instant application. For this reason alone, rejection under § 103(a) is improper.

Moreover, with respect to the principal reference, Younis, the applicants' undersigned attorney has not found, nor has the Examiner identified, where Younis discloses that the recited GPS data is received from the MS to be located. This recitation appears in applicants' independent claims 1 and 11, and it distinguishes applicants' claims from the subject matter of Younis. In the Office Action, on page 3, the Examiner cites to Younis paragraph 0008. However, this paragraph recites that the position determination entity (PDE) tracks the positions of GPS satellites to a network of stationary GPS receivers. Before searching for the GPS signals, the mobile device transmits a request for GPS aiding information to the PDE through a local base station. Using the identity of the local base station, the PDE determines the approximate

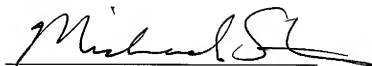
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location of the mobile device and provides the mobile device with the identities and positions of the GPS satellites that are likely to be in view, etc. This paragraph, however, does not teach or suggest that a land station receives GPS data from a MS to be located. If the Examiner disagrees with this, he is respectfully invited to call applicants' undersigned attorney to discuss the Examiner's reading of Younis.

In view of the foregoing, the Examiner is respectfully urged to reconsider the application and to withdraw the rejection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael D. Stein", written over a horizontal line.

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